



No. 59] CHENNAI, TUESDAY, FEBRUARY 13, 2018  
Maasi 1, Hevilambi, Thiruvalluvar Aandu-2049

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## Part V—Section 4

### Notifications by the Election Commission of India

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#### NOTIFICATIONS BY THE ELECTION COMMISSION OF INDIA

JUDGEMENT OF THE HIGH COURT OF MADRAS  
IN ELECTION PETITION No.09 OF 2016.

**No. SRO G-2/2018.**

The following Notification of the Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110 001, dated 24th January, 2018 [4 Magha, 1939 (Saka)] is published:—

**No. 82/TN-LA(EP 09 of 2016)/2018:—**In pursuance of Section 106 (b) of the Representation of the people Act, 1951 (43 of 1951), the Election Commission hereby publishes the Order of the High Court of Madras, dated 27th November, 2017 in Election Petition No.09 of 2016.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Ordinary Original Civil Jurisdiction)

Monday, the 27th day of November 2017.

THE HON'BLE MR. JUSTICE P. KALAIYARASAN

Election Petition No. 9 of 2016

ELP No. 9 of 2016

M. Vijayamurthy,  
S/o. Manickkam,  
Old No.35, New No. 47, North Street,  
Lalgudi (TP), Lalgudi Taluk,  
Trichy District—*Petitioner*

*Versus*

1. A. Sowndarapandian,  
S/o. Arunachalam,  
No. 3/228, South Street,  
Malavai Village, Lalgudi Taluk,  
Trichy District.
2. The Chief Election Commissioner,  
O/o. Election Commission of India,  
Nirvachan Sadan, Ashoka Road,  
New Delhi - 110 001.
3. The District Election Officer and Collector,  
O/o. District Collector,  
Collectorate Complex, Trichy,  
Trichy District.
4. The Returning Officer and Revenue Divisional Officer,  
O/o. Revenue Divisional Officer,  
Lalgudi Legislative Assembly Constituency,  
Lalgudi, Trichy District—*Respondents*.

(Respondents 2 to 4 Struck off as per common order dated 09-06-2017 made in OA. Nos. 306 to 308/2017 in ELP. 9 of 2016).

The Election petition praying that this Hon'ble Court be pleased to (i) Declare that the election of the Returned candidate, namely the 1st respondent herein from No. 143, Lalgudi Legislative Assembly Constituency, Trichy District Tamil Nadu held on 16-05-2016 in which result have been declared on 19-05-2016 as void.

The above election petition coming on this day before this court for hearing in the presence of Mr. A. Manojkumar, Advocate for the Election petitioner and of Mr. R. Rajaramani, Advocate for the 1st respondent herein and upon reading the petition and affidavit of Mr. M. Vijayamurthy, and the counter affidavit of the 1st respondent filed herein and this Court having observed that the petitioner is not ready to get along with the case.

**It is ordered as follows:-**

1. That the Election Petition No. 9 of 2016 be and is hereby dismissed for non prosecution.

2. That there shall be no order as to costs.

WITNESS, THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE,  
HIGH COURT AT MADRAS, AFORESAID THIS THE 27th DAY OF NOVEMBER 2017.

Sd/-  
*Assistant Registrar,*  
*Original Side-II.*

//CERTIFIED TO BE TRUE COPY//

DATED THIS THE 28th DAY OF DECEMBER 2017

*Court Officer (O.S.)*

From 25th day of September 2008, the Registry is issuing Certified Copies of the Orders/Judgments/Decrees in this format.

Cns – 11-12-2017

ELP. No. 9 of 2016

DECREETAL ORDER

DATED: 27-11-2017

THE HON'BLE MR. JUSTICE  
P. KALAIYARASAN

FOR APPROVAL: 12-12-2017

APPROVED ON: 12-12-2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Ordinary Original Civil Jurisdiction)

Monday, the 27th day of November 2017.

THE HON'BLE MR. JUSTICE P. KALAIYARASAN

Election Petition No. 9 of 2016

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**The Court Made the Following Order:—**

Though the matter is today listed under the Caption “Either For Disposal or Dismissal” the Petitioner is not ready to get along with the case. Hence, this Election Petition is dismissed for Non-Prosecution. No Costs.

WITNESS, THE HON’BLE MS. INDIRA BANERJEE, CHIEF JUSTICE,  
HIGH COURT AT MADRAS, AFORESAID THIS THE 27th DAY OF NOVEMBER 2017.

Sd/.....

*Assistant Registrar, Original Side-II.*

(By Order)

MALLAY MALLICK,

*Secretary,*

*Election Commission of India.*

Secretariat,  
Chennai-600 009.  
13th February 2018.

RAJESH LAKHONI,

*Chief Electoral Officer and*

*Principal Secretary to Government.*